

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
CALIFORNIA ORGANIC PRODUCTS ADVISORY COMMITTEE (COPAC)
Meeting Minutes
February 21, 2007
Sacramento, CA**

MEMBERS

Blake Alexandre
David Will
Larry Hirahara
Steve DeMuri
Lauree Bradley
Sajeemas Pasakdee
Sean Swezey
Gay Timmons
Julie Spadow
Stacy Carlsen

ALTERNATES MEMBERS

Gary Edwards
Dave Martinelli
Jack Young
John Ashby
Myron Cooper

CDFA

Nate Dechoretz
Rick Jensen
Asif Maan
Kent Kitade
Ray Green
David Carlson
Susan Shelton

INTERESTED PARTIES

Pat Kennelly, DHS Representative
William Bent, USDA
Doug Graham, New Era Farm
Isaac Nelson, Port Organic Prod
Ken Nelson, Jr., Port Organic
Drake Larson, Farmer
Bonnie Townsley
Peter Townsley
Randy Rickert
Mark Anderson, Blue Ocean Org.
Jacob Evans, TOP
Kirk Sparks, Eco-Nutrients
Tim Stemwedel, CA Org. Fert.
Sean Feder, CCOF
Robert Simas, CCIA
Zea Sonnabond, CCOF

ITEM 1: INTRODUCTIONS

The meeting was called to order at 10:00 a.m. A quorum was established.

In the absence of the committee chair and vice-chair, Ms. Gay Timmons was appointed to conduct the meeting. Introductions were made and new members were welcomed. Attendance at this meeting was the highest since committee inception.

ITEM 2: APPROVAL OF MEETING MINUTES

MOTION: Mr. Sean Swezey moved to approve the August 16, 2006 meeting minutes as submitted. Ms. Lauree Bradley seconded. The motion passed unanimously.

ITEM 3: CDFA REPORT – DAVE CARLSON

Mr. Dave Carlson distributed the CDFA organic report to the committee. From January 1, 2007 to February 16, 2007 there have been 38 new registrants and 289 renewals. A chart showing the yearly count of new registrants and renewals from 1999 through 2006 was presented. During the period of August 16, 2006 through February 16, 2007 CDFA received 182 new registrations and 1183 renewals. Of those new registrations five

were brokers, one was a livestock producer, nine were custom packers, six retail, twelve dairy, and 149 were farm production.

In fiscal year 2005/06 \$400,000 was made available for cost share reimbursements. To date \$384,615.04 has been disbursed. After deducting the overhead amount of \$15,384.60, about \$0.36 remains in the fund.

Between August 8, 2006 and February 20, 2007 there were twelve complaints. Of the twelve complaints, four are pending. Six have been referred to the Department of Health Services and two have been resolved.

ITEM 4: DEPARTMENT OF HEALTH SERVICES (DHS) REPORT – PAT KENNELLY

Pat Kennelly gave each committee member a copy of the Organic Processed Product Registration Program Report. Information from DHS on the following topics were reported:

- Organic Processed Product Commodities Handled
- Median Annual Gross Organic Sales Revenue
 - 2003 - \$108,158
 - 2004 - \$136,919
 - 2005 - \$124,996
 - 2006 - \$126,361
- Total Annual Gross Organic Sales Revenue
 - 2003 - \$1,700,090,848
 - 2004 - \$2,223,788,344
 - 2005 - \$2,657,565,748
 - 2006 - \$2,864,301,808
- Number of Registrants By Range of Annual Gross Sales Volume
 - Total Registrants in 2003 – 785
 - Total Registrants in 2004 – 744
 - Total Registrants in 2005 – 873
 - Total Registrants in 2006 – 979
- Number of Organic Registrants Per County

Mr. Kennelly also reported DHS received fifteen complaints in 2006. He gave the committee a report listing the date, company, complaint, finding and resolution of each. Eight were sustained, six unsubstantiated, and one is ongoing.

An update on Senate Bills 200, 201, and 202 was given. These bills propose leafy-green vegetable legislation supporting a broader authority for DHS, license

requirements, food safety and crop traceback. Mr. Kennelly suggested the committee members read and watch the progress of the proposed legislation.

Mr. Kennelly gave an overview of the leafy-green e-coli contamination issues. He assured the committee no organic products have been implicated in the contamination, nor have any been found infected. However, one of the contaminated lots was in a transition phase for organic use.

ITEM 5: PROCEDURES ADOPTION: DIANE COONER

Held over until next meeting.

ITEM 6: NEW REGULATIONS FOR APPEALS AND MEDIATION

Mr. Green handed out the first draft of the regulations for State Organic Program Appeal and Mediation Procedures. He stated legislation gives the program general authority, but regulation is needed to give specific authority and to outline procedures. Regulations for Mediation of Denial, Suspension or Revocation of Organic Certification will also be written.

Mr. Stacy Carlson suggested Agricultural Commissioners be included along with the Secretary for authority. He also stated the certification process should be put into regulation.

MOTION: Mr. Swezey moved to support the regulation and request it be moved forward in an expedited manner by CDFA. Mr. Steve DeMuri seconded. The motion passed unanimously.

ITEM 7: DOUG GRAHAM: APPROVAL OF NATIONAL ORGANIC PROGRAM (NOP) COMPLIANT FERTILIZERS

In attendance were ten visitors to comment on the issues of this agenda item. Mr. Asif Maan and Mr. Kent Kitade from CDFA Feed and Fertilizer Branch were also present.

Mr. Doug Graham of New Era Farm Service shared a proposal for a voluntary Marketing Program for fertilizer manufacturers that wish to market to certified organic farmers in California.

Organic producers have concerns regarding issues related to fertilizers being USDA NOP compliant. Producers have the responsibility to ensure everything used on their

organic crops are NOP compliant. However, verifying fertilizers are compliant is complicated, very technical, and involves confidential information.

A lengthy discussion ensued regarding the many issues relative to formation of a state mandated program. Some of these revolved around feasibility, need, merit, and costs. Regulations and possibly legislation would need to be enacted prior to any enforcement ability.

MOTION: Mr. Swezey moved to support working with CDFA's Fertilizer Program or Marketing Program to pursue a solution to the fertilizer compliance issues. He further moved the program be funded by the fertilizer industry. Mr. DeMuri seconded. The motion passed unanimously.

ITEM 8: MEMBER REPORTS /FUTURE AGENDA ITEMS

Mr. Gary Edwards informed the committee the NOP has stated cloned animals are not organic; however, the discussion continues regarding cloned animals' progeny. Mr. DeMuri has recently become a member of the National Organic Standards Board (NOSB). He will report the NOSB discussions and decisions to this committee.

Mr. John Ashby stated Congressman Dennis Cardoza, from the Stockton area, has just been appointed as the new chair of the House Agriculture Committee's Subcommittee on Horticulture and Organic Agriculture. Mr. Ashby stated Congressman Cardoza is very committed to organic issues and solutions.

Ms. Julie Spandow stated she has heard grading of organic beef was not required. It was explained grading of organic beef, like conventional beef, is voluntary. However, if meat is graded specific category requirements are set by law.

Mr. Jack Young inquired about grass fed certification. Mr. Carlson stated Marin County has an ordinance specifically regarding grass fed. Mr. Young was directed to the County of Marin's website for more information.

Ms. Lauree Bradley asked Mr. Bent about the latest issues regarding China and organic claims. He stated USDA is reviewing these issues.

ITEM 9: NEW ITEMS

Mr. William Bent, USDA NOP, was present at the meeting. He stated he has been the designated person to collect all complaints relative to the recent WalMart organic labeling issues. Unpackaged organic items cannot touch conventional items and must

have clear organic signage; however, requirements for packaged items are not as clear. Attorneys from USDA and WalMart are discussing these issues.

The next meeting is set for May 23, 2006 in Sacramento.

ITEM 10: ADJOURNMENT

The meeting adjourned at 12:45 p.m.

Respectfully submitted by:

Ray Green, Supervisor
California Organic Program
Inspection and Compliance Branch
Inspection Services